

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-9 and 11-22 are pending in the present application. Claims 1 and 7 are the independent claims. Claims 1-6 have been withdrawn as being drawn to a non-elected invention.

Claim 10 has been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claim 7 has been amended. No new matter is believed to have been added.

The Office Action objected to claim 12 as being a substantial duplicate of claim 10. By the present Amendment, Applicant has cancelled claim 10.

Claims 7, 9, 10-15, and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,087,730 (McGarvey et al.). Claims 19, 20, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McGarvey et al. in view of U.S. Patent No. 6,480,577 (Izumi et al.). Claims 16, 18, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McGarvey et al. in view of U.S. Patent No. 5,010,027 (Possin et al.) Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over McGarvey et al. in view of U.S. Patent No. 6,346,978 (Hsu et al.) Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over McGarvey et al. in view of Possin et al., and further in view of Hsu et al. All rejections are respectfully traversed.

Independent claim 7 recites, inter alia, forming a first insulating layer over a surface of the substrate to cover the pixel electrode and the semiconductor layer after the forming a pixel electrode and a semiconductor layer.

However, Applicant respectfully submits that McGarvey et al. does not teach at least the aforementioned feature of independent claim 7 for at least the reason set forth below.

McGarvey et al. relates to electronic devices and their manufacture and teaches positioning a pixel electrode 20 on a substrate and depositing a gate dielectric film 38 after a photolithographic and etching stage. Assuming arguendo that the gate dielectric film is a first insulating layer, the gate dielectric film is formed before at least the semiconductor. Indeed, FIGS. 4A to 4C of McGarvey et al. show that the source/drain layers are formed before the formation of the semiconductor layer. Thus, McGarvey et al. does not meet the aforementioned feature of independent claim 7.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent

claim 7 under 35 U.S.C. § 102 are respectfully requested.

Regarding the rejections of claims 8-22 under 35 U.S.C. § 103, Izumi et al. relates to among other things an active matrix substrate, Possin et al. relates to a method for fabricating a self-aligned thin-film transistor utilizing planarization and a back-side photoresist exposure, and Hsu et al. relates to an SOI TFT substrate from an LCD projection display and are respectively cited for their alleged teachings of a third insulating layer, using a photoresist as a planarization layer, and forming a semiconductor layer and then forming a pixel electrode. Applicant respectfully submits that none of Izumi et al., Possin et al., and Hsu et al. add anything that would remedy the aforementioned deficiency of McGarvey et al.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: October 13, 2004

By: Michael E. Kondoudis
Michael E. Kondoudis
Registration No. 42,758

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501